

UNITED STATES DISTRICT COURT

for the

Northern District of New York

UNITED STATES OF AMERICA)

v.)

RODELL PATTERSON)

Case No. 1:23-MJ- 50 (DJS)

Defendant)

CRIMINAL COMPLAINT

U.S. DISTRICT COURT – N.D. OF N.Y.

FILED

Jan 24 - 2023

John M. Domurad, Clerk

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of May 20, 2022 through May 23, 2022 in the county of Rensselaer in the Northern District of New York the defendant(s) violated:

Code Section

18 U.S.C. 922(a)(5)

Offense Description

Transfer, Sale, or Transportation of Firearms to a Resident of Another State

This criminal complaint is based on these facts:
See attached affidavit

☒ Continued on the attached sheet.



Complainant's signature

Special Agent Brian Leahey

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: 1/24/2023

City and State: Albany, NY


 Daniel J. Stewart
 U.S. Magistrate Judge

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK**

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT

I, Brain Leahey, being duly sworn, hereby depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a criminal complaint charging RODELL PATTERSON (“PATTERSON”) with transferring, selling, or transporting a firearm to a resident of another state, in violation of 18 U.S.C. § 922(a)(5).

2. I am an ATF Special Agent and have been so employed since September 2020. My duties include the investigation of federal firearm violations and related crimes. I have also received training and have gained experience in the investigation of firearms offenses.

3. As the case agent, I am fully familiar with the facts of this case. The facts in this affidavit come from my personal observations, my training and experience, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested complaint and does not set forth all of my knowledge about this matter. Where statements of others are related in this affidavit, they are related in substance and in part.

THE STATUTE

4. In pertinent part, Title 18, United States Code, Section 922(g)(5) provides: “It shall be unlawful for any person (other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector) to transfer, sell, trade, give, transport or deliver any firearm to any person (other than a licensed importer, licensed manufacturer, licensed dealer, or licensed collector) who the transferor knows or has reasonable cause to believe resides in any State other than that in which the transferor resides.”

PROBABLE CAUSE

5. This investigation concerns recent firearms-related transfers made by RODELL PATTERSON, a felon residing in Baton Rouge, Louisiana, to Individual-1, a felon residing in Troy, New York.

6. PATTERSON has a New York State felony conviction for Attempted Robbery 2nd Degree in 1997, a felon in possession of a weapon from this Court in 2003, and a Distribution of Controlled Substance conviction in 2011 from the Middle District of Louisiana. PATTERSON has additional felony convictions from Louisiana.

7. Neither PATTERSON nor Individual-1 are or have been a licensed importer, licensed manufacturer, licensed dealer, or licensed collector of firearms.

The Start of the Investigation

8. On June 15, 2022, New York state Parole Officer Brown (P.O. Brown) conducted an unannounced home visit of parolee at Individual-1's reported residence in Troy, New York. Based upon the possessions in the room, Individual-1 appeared to be the sole resident of room the number at the above listed location

9. Pursuant to Individual-1's conditions of release, P.O. Brown inspected the room and discovered the following items:

a. One Glock 36, .45 caliber, semi-automatic pistol bearing serial number

NZF279;

b. One Springfield Armory XD5, .45 caliber semi-automatic pistol bearing serial number

HG107117;

10. When arresting Individual-1, the Parole Officer's seized his iPhone.

11. On July 7, 2022, the Honorable Daniel J. Stewart, U.S. Magistrate Judge, issued a search warrant authorizing a search of Individual-1's iPhone.

Evidence Found on Individual-1's iPhone

12. While examining Individual-1's iPhone, I observed a contact saved as "Doodie" with the phone number (225) XYZ-5380 (the "Patterson Phone").

13. The investigation revealed that RODELL PATTERSON is "Doodie."

a. Commercial open-source records indicate that Patterson Phone is associated with PATTERSON and the service provider is AT&T.

- b. AT&T subscriber records indicate that from February 2021 through June 15, 2022, the financially liable party for the Patterson Phone was “Rodell Patterson” at [redacted] Goose Street, Baton Rouge, Louisiana with the e-mail address pattersonrodell2@[redacted].com.
- c. AT&T subscriber records indicate that from February 2021 through June 15, 2022, the user was “Rodell Patterson” at [redacted] North 3rd Street, Baton Rouge, Louisiana.
- d. AT&T records further indicate that from February 2021 through June 15, 2022, PATTERSON consistently paid monthly bills for the Patterson Phone with credit cards under PATTERSON’s name.
- e. PATTERSON’s criminal history lists “Doodie” as an alias.

Recovery of trafficked Glock 36

14. As referenced earlier, Individual-1 was arrested on June 15, 2022, while in possession of (2) two firearms. One of the firearms recovered was a Glock, model 36, .45 Auto bearing the S/N: NZF279 (the “Glock 36”). The Glock 36 found in Individual-1’s possession had distinctive aftermarket markings and rust stains located on the slide of the firearm.

- a. The following photograph depicts shows the Glock 36 recovered from Individual-1. This firearm has distinctive aftermarket markings and rust stains on slide.



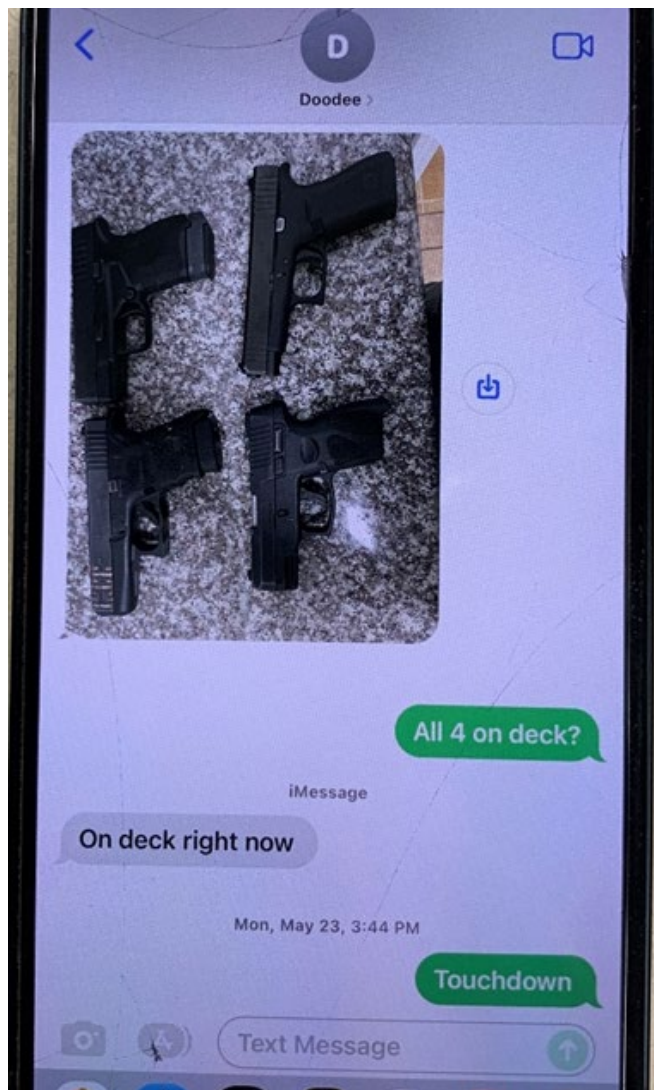
- b. The following photograph depicts a photo of Individual-1's phone displaying a text message PATTERSON sent to Individual-1 on May 20, 2022. In that text message, PATTERSON sent a photo of a receipt from the United States Postal Service, dated May 20, 2022 at 3:03 p.m. The receipt PATTERSON sent Individual-1 shows that the package was sent from Batton Rouge, Louisiana to Troy, New York, demonstrating that PATTERSON knew Individual-1 lived in New York. It further shows that the package weighed 8 pounds, 9 ounces. In my experience as an ATF Agent, that weight is consistent with four handguns.



- c. The following photographs depict Individual-1's phone. The photograph on the left contains an image of a conversation in which PATTERSON sent a picture of the Glock 36 to Individual-1 on May 21, 2022. The photograph on the right is the photo that PATTERSON texted to Individual-1 in Picture 2. The Glock 36 in these photographs contains distinctive markings on the front of the slide. Based on my training and experience, I know that Glock does not create those markings, that the bluing was removed aftermarket, and the removal of the bluing allowed the Glock 36 to acquire the rust stains on the front.



- d. The following is a photograph of Individual-1's phone showing the conversation in which PATTERSON sent an additional picture to Individual-1 with four handguns in the picture. One of the four handguns in the picture is the Glock 36 with distinct aftermarket markings and rust stains on the slide. The following text from Individual-1 was "All 4 on Deck?" to which PATTERSON replied, "On deck right now." The very next text in the conversation—which Individual-1 sent on May 23, 2022—Individual-1 responded to PATTERSON stating "Touchdown."



Zelle Records

15. In my investigation, we subpoenaed Zelle records. Those records reflect that Individual-1 paid PATTERSON \$5,460 via (5) five transfers occurring between October 1, 2021 and June 6, 2022

16. The Zelle records further reflect that the Patterson Phone is the number associated with the account in PATTERSON's name. Further, the Zelle records indicate that the associated e-mail address is pattersonrodell2@[redacted].com—which is the same e-mail address associated with the AT&T records for the Patterson Phone.

CONCLUSION

17. Based on the foregoing, I believe there is probable cause that RODELL PATTESON has violated 18 U.S.C. § 922(g)(5), which prohibits Transfer, Sale, or Transportation of Firearms to a Resident of Another State. I further request that a criminal complaint be issued pursuant to this violation of federal law.

Attested to by the affiant:



Brian Leahey
Special Agent
Bureau of Alcohol, Tobacco, Firearms, and
Explosives

I, the Honorable Daniel J. Stewart, United States Magistrate Judge, hereby acknowledge that this affidavit was attested by the affiant by telephone on January __, 2023 in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.


Daniel J. Stewart
U.S. Magistrate Judge